

No US case
No AU case
"X" & "Y" refs.

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT
OR THE DECLARATION

(PCT Rule 44.1)

To:
RANBAXY LABORATORIES LIMITED
Attn. Deshmuckh, Jayadeep R.
600 College Road East, Suite 2100
Princeton, New Jersey 08540
UNITED STATES OF AMERICA

Date of mailing
(day/month/year) 26/02/2003

Applicant's or agent's file reference
RLL-268.1W0

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.
PCT/IB 02/03740

International filing date
(day/month/year) 12/09/2002

Applicant

RANBAXY LABORATORIES LIMITED

1. ☒ The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Fascimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.


☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Further action(s):** The applicant is reminded of the following:

Shortly after **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

Within **19 months** from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within **20 months** from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority
 European Patent Office, P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Véronique Baillou

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference RLL-268.1W0	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/IB 02/ 03740	International filing date (day/month/year) 12/09/2002	(Earliest) Priority Date (day/month/year) 26/08/2002
Applicant RANBAXY LABORATORIES LIMITED		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 6 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :



contained in the international application in written form.



filed together with the international application in computer readable form.



furnished subsequently to this Authority in written form.



furnished subsequently to this Authority in computer readable form.



the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.



the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☒ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.



as suggested by the applicant.



because the applicant failed to suggest a figure.



because this figure better characterizes the invention.



None of the figures.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/IB 02/03740

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

1-21, 24-25

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. Claims: 1-21,24-25

Compounds of formula (I), their pharmaceutical compositions and process for their preparation

2. Claims: 22-23

Intermediates compounds of formula (III) and (IV)

INTERNATIONAL SEARCH REPORT

Int'l Application No

PCT/IB 02/03740

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C07D521/00 A61K31/4196 C07D249/12

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C07D A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, CHEM ABS Data, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 02 051408 A (VERMA ASHWANI KUMAR ;KATOCH RITA (IN); RANBAXY LAB LTD (IN); RATTA) 4 July 2002 (2002-07-04) the whole document	1-5
X	WO 96 39394 A (BAYER AG ;JAUTELAT MANFRED (DE); TIEMANN RALF (DE); DUTZMANN STEFA) 12 December 1996 (1996-12-12) page 5-10	1,2
Y	WO 01 66551 A (ARORA SUDERSHAN K ;VERMA ASHWANI KUMAR (IN); RANBAXY LAB LTD (IN);) 13 September 2001 (2001-09-13) the whole document	1-21,24, 25
Y	EP 0 567 982 A (TAKEDA CHEMICAL INDUSTRIES LTD) 3 November 1993 (1993-11-03) the whole document	1-21,24, 25
-/--		

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

9 December 2002

Date of mailing of the international search report

28.12.02

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Lauro, P

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	EP 0 097 469 A (PFIZER LTD ;PFIZER (PA)) 4 January 1984 (1984-01-04) claim 1	1-21,24, 25
Y	--- KITAZAKI T ET AL: "OPTICALLY ACTIVE ANTIFUNGAL AZOLES. VI.1) SYNTHESIS AND ANTIFUNGAL ACTIVITY OF N-U(1R,2R)-2-(2,4-DIFLUOROPHENYL)-2-HYDROX Y-1-METHYL-3-(1 H-1,2,4-TRIAZOL-1-YL)PROPYL-N'-(4-SUBSTITU TED PHENYL)-3(2H,4H)- 1,2,4-TRIAZOLONES AND 5(1H,4H)-TETRAZOLONES" CHEMICAL AND PHARMACEUTICAL BULLETIN, PHARMACEUTICAL SOCIETY OF JAPAN. TOKYO, JP, vol. 44, no. 2, 1996, pages 314-327, XP002067032 ISSN: 0009-2363 the whole document	1-21,24, 25
Y	--- EP 0 967 210 A (GENESIS PARA LA INVESTIGACION) 29 December 1999 (1999-12-29) page 7; example 4 -----	6-21

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/IB 02/03740

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 02051408	A	04-07-2002	WO 02051408 A1 US 2002119984 A1	04-07-2002 29-08-2002
WO 9639394	A	12-12-1996	DE 19520597 A1 AU 6124596 A WO 9639394 A1 ZA 9604650 A	12-12-1996 24-12-1996 12-12-1996 07-01-1997
WO 0166551	A	13-09-2001	AU 3402301 A EP 1278755 A2 WO 0166551 A2	17-09-2001 29-01-2003 13-09-2001
EP 0567982	A	03-11-1993	AT 167857 T AU 3822193 A CA 2094962 A1 CN 1079467 A ,B DE 69319380 D1 DE 69319380 T2 DK 567982 T3 EP 0567982 A1 ES 2118160 T3 FI 931901 A HU 64327 A2 HU 9500243 A3 JP 2818097 B2 JP 6293740 A KR 257619 B1 KR 152544 B1 MX 9305295 A1 NO 931533 A NZ 247488 A SG 48939 A1 US 5371101 A US 5466820 A BR 1100693 A3 RU 2116304 C1 ZA 9302991 A	15-07-1998 04-11-1993 29-10-1993 15-12-1993 06-08-1998 29-10-1998 12-04-1999 03-11-1993 16-09-1998 29-10-1993 28-12-1993 28-09-1995 30-10-1998 21-10-1994 01-07-2000 15-10-1998 31-08-1994 29-10-1993 24-02-1995 18-05-1998 06-12-1994 14-11-1995 28-12-1999 27-07-1998 08-11-1993
EP 0097469	A	04-01-1984	AT 22886 T DE 3366922 D1 DK 275483 A ,B, EP 0097469 A2 GR 79318 A1 IE 55460 B1 JP 1498435 C JP 59062574 A JP 63045672 B US 4482558 A	15-11-1986 20-11-1986 19-12-1983 04-01-1984 22-10-1984 26-09-1990 29-05-1989 10-04-1984 12-09-1988 13-11-1984
EP 0967210	A	29-12-1999	SI 9600165 A AU 1098297 A EP 0967210 A1 HU 9903524 A2 NO 985408 A WO 9744330 A1 HR 970271 A1 KR 2000015811 A RU 2170736 C2	31-12-1997 09-12-1997 29-12-1999 28-02-2000 20-01-1999 27-11-1997 30-04-1998 15-03-2000 20-07-2001